

## **EXHIBIT 13**



**ESQUIRE**  
DEPOSITION SOLUTIONS

800.211.DEPO (3376)  
*EsquireSolutions.com*

Cooper

called as a witness and testified as follows:

EXAMINATION BY MR. KEZHAYA:

Q. Please state your name for the record.

A. Nancy Cooper.

Q. Nancy, have you ever been deposed before?

A. About six or seven years ago.

Q. Okay. What was that attendant to?

A. It was something in which we were not a direct something or another, We were a witness, and it was literally about some bracelets that we had written about.

Q. Okay. Was it a defamation lawsuit?

A. I don't remember.

Q. Okay. Have you ever been a witness or a defendant in a defamation lawsuit before?

A. No.

Q. Okay. What is your current role at Newsweek?

A. I'm the global editor-in-chief.

Q. What does that entail?

A. I set the standard for what Newsweek does or doesn't do. I'm in meetings to discuss,

1 Cooper

2 A. Just terms of employment.

3 Q. But more particularly why would you  
4 use an independent contractor as opposed to  
5 bringing them on as an employee?

6 A. I think sometimes people have  
7 different needs. I have never actually thought  
8 about that. So I don't know the answer.  
9 Sometimes people want to have more freedom. They  
10 also want to freelance for somebody else, a  
11 different media organization. Sometimes. I  
12 don't know.

13 Q. Are you in charge of hiring and  
14 firing independent contractors?

15 A. Some of them, yeah.

16 Q. Are you in charge of hiring and  
17 firing Duin?

18 MR. STRACHER: I'm sorry. Julia  
19 Duin?

20 MR. KEZHAYA: Correct. Yeah.

21 Q. Well, let me back up. Is that how  
22 you pronounce her name?

23 A. I think it's -- I don't know. I  
24 think it's Duin, but I don't know either.

25 Q. Okay. Duin. Were you in charge of

1 Cooper

2 hiring or firing Duin?

3 A. Hiring her, yes, yes, and laying her  
4 off. She wasn't fired for cause. Her contract  
5 was not renewed.

6 Q. Okay. Let's start with hiring her.  
7 Why her in particular?

8 A. She was -- she had not just a  
9 reputation. She was an experienced religion  
10 reporter. That was her beat. I believe she had  
11 won some awards. She's interested in the topic  
12 and knew about it, and that's something that we  
13 thought we should be covering.

14 Q. Did you begin with the need that we  
15 need a religion beat reporter, or did you begin  
16 with this person needs a job here?

17 A. Oh, no. We were looking for a  
18 religion reporter.

19 Q. Okay. Did you have any dealings with  
20 Duin before interviewing her or hiring her or  
21 anything like that?

22 A. No.

23 Q. When did you first meet Duin?

24 A. Whenever the first interview was. I  
25 don't know.

Cooper

Guidelines?

A. Yes. I thought it was still called Editorial Guidelines. I don't know when that changed.

Q. Absent publishing desk performing a fact investigation, would anyone at Newsweek have reviewed an article for factual accuracy from Duin? Yes or no.

MR. STRACHER: Ever?

MR. KEZHAYA: From Duin. So I mean there's a very limited time period that could have been.

MR. STRACHER: Okay.

A. I mean anyone other than me or other than Juliana?

Q. Well, it depends. Were you and Juliana publishing desk?

A. No, sorry.

MR. STRACHER: You said absent publishing desk.

MR. KEZHAYA: Correct.

Q. Absent publishing desk.

A. Oh, I'm sorry. Can you please ask me again.

Cooper

Q. I'll rephrase the question.

A. Yes.

Q. Julia Duin wrote articles for  
Newsweek, correct?

A. Yes.

Q. Did you fact-check anything in the  
articles?

A. No. I raised questions to her, but I  
didn't personally fact-check things.

Q. Did Juliana fact-check anything?

A. I don't believe so.

Q. And we're not talking just this  
article. We're talking overall.

A. As I recall, yes, to what you're  
saying.

Q. Did anyone else over Julia Duin's  
entire career at Newsweek fact-check any of her  
articles?

A. I don't believe so.

Q. Okay. So you relied, you Newsweek,  
relied on Julia Duin to fact-check her articles,  
correct?

A. Yes.

Q. And if something slipped through the

Cooper

Afternoon Session

1:47 p.m.

THE VIDEOGRAPHER: We are back on the  
record. The time is 1:47 p.m.

N A N C Y C O O P E R, having been previously  
duly sworn, was examined and testified further as  
follows:

EXAMINATION (Continued)

BY MR. KEZHAYA:

Q. Please state your name for the  
record.

A. Oh. It's Nancy Cooper.

MR. KEZHAYA: Actually can we go off  
the record.

THE VIDEOGRAPHER: We are off the  
record. The time is 1:47 p.m.

(Recess taken)

THE VIDEOGRAPHER: We are back on the  
record at 1:48 p.m.

BY MR. KEZHAYA:

Q. What did you know about TST before  
Duin pitched this particular article?

A. Nothing.

Q. Did you know about TST?



Cooper

A. No.

Q. Were you aware of TST's existence in the first place?

A. No.

Q. Do you remember when Duin pitched the article?

A. I don't remember, but I saw the e-mail where it was among the stories she pitched.

Q. Were those the first stories that she pitched?

A. I'm not sure. I don't know.

Q. Prior to that e-mail, was there a meeting between you and Duin about this article?

A. No.

Q. After the e-mail, was there a meeting of the participants including you and Duin about this article?

A. A meeting? No. No.

Q. Okay.

A. I mean --

Q. Let's draw your attention to the confidential Exhibit Cooper 52, which we are marking as Plaintiff's 9.

Cooper

meeting?

A. These were people who were part of the church or had been part of the church, if that's the right word, temple, who were alienated or angry with it.

Q. Would you describe disgruntled former members of a particular religious organization as particularly credible sources?

A. They can be.

Q. Would you describe these disgruntled members as particularly credible sources?

MR. STRACHER: Objection to the form.

A. I don't know these specific people who contacted her. The story that we ran is accurate, so.

Q. You personally edited this article, did you not?

A. Yes.

Q. Did you personally talk to any of Julia Duin's contacts?

A. No. That's not my role.

Q. Did Julia Duin speak with any of the contacts?

A. Yes. Clearly.

Cooper

circumstances. It's not obviously best practice. Did you do any research on The Satanic Temple since this article has come up?

A. No.

Q. What is your level of familiarity with The Satanic Temple today?

A. Virtually nothing.

Q. Is it fair to say that the only thing you know about The Satanic Temple is information that you received from Julia Duin in the course of editing this article?

A. I suppose so.

Q. Did Julia Duin provide you any notes substantiating how she came to write the article?

A. No, but that would not be unusual. We would have had a discussion about where is this from, the source is on the record, and I have two anonymous sources. She's not, you know, a newbie. She is a very experienced senior person who was hired to be on this beat who knows this beat, and I don't re-report stories. That's not an editor's role.

Q. What is an editor's role?

A. As I said, you spot a story either by

1 Cooper

2 yourself or, you know, your reporter spots  
3 something. You say that's a great idea, or you  
4 listen to your reporter, and you go I don't think  
5 this is a great idea, but this other thing you  
6 said is a great idea, and you talk to them about  
7 how you would shape the story and how you see the  
8 story, and, you know, these are sometimes split  
9 into different jobs, but overall then you read it  
10 and you think about it and talk to the reporter  
11 and you suggest fixes, and sometimes you overrule  
12 people and make fixes, and then it gets  
13 published.

14 Q. What are the nature of the fixes that  
15 you would make?

16 A. Would make?

17 Q. Um-hum, as an editor.

18 A. It could be anything from a typo to  
19 like, no, the person is not a suspect. They're a  
20 person of interest, you know, catching something  
21 like that.

22 Q. Okay. Why wasn't Juliana the editor  
23 on this particular article?

24 A. Because I'm a much more experienced  
25 editor, and she was probably swamped with her

1 Cooper

2 day-to-day news people. So I just dealt with  
3 that myself, which is not unusual.

4 Q. It was not unusual for the head of  
5 the organization to edit the article?

6 A. Yes. There are still certain  
7 reporters that I work with directly.

8 Q. Which are those reporters in terms of  
9 hierarchy in the system, not names?

10 A. The national security reporter, some  
11 of the others, I don't want -- now that we have  
12 this publishing desk, they take these people,  
13 these senior people directly, most of them.

14 Q. So is it fair to state that you are  
15 in direct contact with the most important  
16 reporters?

17 A. No, yes, no. I don't know how to  
18 answer that. I don't want to say the most  
19 important, but some of the most senior. Let's  
20 say that.

21 Q. Okay. Most trusted. Is that a fair  
22 comment?

23 A. No. I trust all my reporters.

24 Q. Did you review any of the  
25 communications between Julia Duin and any of the

1 Cooper

2 A. I don't know what else she may have  
3 done, but she clearly talked to Greaves about it.

4 Q. Why is it clear that she talked to  
5 Greaves about it?

6 A. Greaves said no sexual activities  
7 were compulsory.

8 THE WITNESS: Can we take a break?

9 MR. STRACHER: Sure. Let's take a  
10 break. Can we take a break?

11 THE VIDEOGRAPHER: We are going off  
12 the record. The time is 2:27 p.m.

13 (Recess taken)

14 THE VIDEOGRAPHER: We are back on the  
15 record. The time is 2:36 p.m.

16 BY MR. KEZHAYA:

17 Q. Earlier you testified that your basis  
18 to believe that Julia Duin looked into this  
19 matter is a response from Greaves that no sexual  
20 activities were compulsory. Is that correct?

21 A. Yes.

22 Q. Are there any other bases to believe  
23 that Julia Duin looked into this particular  
24 article statement?

25 A. There's also, excuse me, I'm sorry,

1 Cooper

2 somewhere in the story that he says, Greaves says  
3 something like people say crap about us all the  
4 time. So it led me to believe that she had said  
5 people make all these accusations about you, and  
6 he had had a chance to respond.

7 Q. Are there any other bases for your  
8 belief that she looked into -- strike that. Let  
9 me rephrase. Are there any other bases that led  
10 you to believe that she engaged in any  
11 fact-checking on this particular article  
12 statement?

13 A. On that particular article statement,  
14 no, nothing specific, but her general statement  
15 like I fact-checked this until my eyes were  
16 bleary, it's somewhere in the e-mails, gave me a  
17 feeling of confidence.

18 Q. Did she detail to you what was  
19 entailed in fact-checking until she was bug-eyed?

20 A. No, I don't believe so.

21 Q. As you sit here today, do you have a  
22 factual basis in your mind as to any instances of  
23 sexual abuse and coverup by The Satanic Temple?

24 A. Do I have any what?

25 Q. Do you have any factual predicate, as

1 Cooper  
2 you sit here today, as to whether in The Satanic  
3 Temple there were accounts of sexual abuse being  
4 covered up in ways that were more than anecdotal?

5 MR. STRACHER: Can you define what  
6 you mean by factual predicate?

7 THE WITNESS: Yeah.

8 MR. STRACHER: I object to the term  
9 "factual predicate." I just don't want  
10 the witness to be tripped up by that.

11 Q. As you sit here today, do you stand  
12 by the statement that there are accounts of  
13 sexual abuse being covered up in ways that were  
14 more than anecdotal?

15 MR. STRACHER: I object to the form  
16 of the question.

17 Q. Do you assert that statement is true?

18 A. I believe that it is.

19 Q. Okay. Why do you believe that it is?

20 A. Because I think that she reported it  
21 out and that that is correct.

22 Q. So you take Julia Duin at face value  
23 when she says this is the case, correct?

24 A. It's beyond face value. She reported  
25 it and got what I believe is a response to those



1 Cooper

2 area, I'm going to object, but I'm not  
3 going to prevent the witness from  
4 answering, but let me just note we're  
5 getting pretty far afield.

6 MR. KEZHAYA: I'm delineating the  
7 difference as pertains to the editorial  
8 guidelines as to the difference between  
9 criminal sexual abuse and non-criminal  
10 sexual abuse. She said it could be.

11 MR. STRACHER: Okay.

12 MR. KEZHAYA: I would like you to  
13 answer the delineating question.

14 MR. STRACHER: But the word you used  
15 was "systemic sexual abuse." Where do you  
16 find that phrase?

17 Q. Nancy, you edited this article,  
18 correct?

19 A. Yeah.

20 Q. Was this article not about TST as an  
21 organization?

22 A. It was about a lawsuit about TST.

23 Q. Was the subject of this article TST?

24 A. The subject of the article was this  
25 lawsuit. We didn't just like say here's the

Cooper

thing, TST. We said here is this interesting suit. That's a different story.

Q. Your testimony today is that your understanding of this article was that it's about the lawsuit, not about the organization, correct?

A. Yes.

Q. Please read the first line of the article.

A. "Can you defame a religion, especially one that doesn't believe in God, Satan or the supernatural?"

Q. Is this what's known as a lead in the industry?

A. Yeah.

Q. What is a lead?

A. It's how you get into a story, the top, the first sentence of this paragraph.

Q. Who wrote the lead?

A. Probably she did. It's possible that I did.

Q. Is it your best recollection today that she wrote the lead?

A. I don't know.

Q. You must have knowledge as to your

1 Cooper

2 When you say sources, who do you mean?

3 MR. KEZHAYA: The individuals, in  
4 this particular case we're talking about  
5 Jinx Strange. The individuals who are  
6 levying serious accusations on the one  
7 hand and on the other hand Greaves.

8 Basically I'm examining her full  
9 understanding as between Duin and any of  
10 the people that resulted in the article.

11 A. What's the question? Sorry. What's  
12 the actual question?

13 Q. Did you perform any inquiry into what  
14 Julia Duin did in the course of writing this  
15 article?

16 A. No.

17 Q. And you didn't have any special  
18 assurances that Julia Duin was a competent  
19 reporter through experience, did you?

20 MR. STRACHER: I object to the form  
21 of the question.

22 Q. I'll rephrase. Your experience with  
23 Julia Duin was at a short tenure at this time,  
24 correct?

25 A. I believe so. I don't remember. I

Cooper

don't remember. I don't believe this was her first story for Newsweek, but I don't remember how many other stories she had done already.

Q. Do you recall how many months she had been working at Newsweek previously?

A. No.

Q. Did you have a sense that you particularly trusted Julia Duin based off of some longstanding relationship between you all?

A. It wasn't a longstanding relationship, but she clearly knew what she was talking about. She was an experienced reporter.

Q. What was her experience?

A. What was her?

Q. What was her experience?

A. Oh. She had been I don't remember where, but she had been a reporter for other news outlets and covered religion for them.

Q. Do you recall whether these were credible news outlets?

A. I don't recall, but I imagine they were. Otherwise we wouldn't have hired her.

Q. During the course of this interview process, did anyone review her prior publications

Cooper

Q. What was the sexual abuse?

A. I don't know. Sorry.

Q. What was the coverup?

A. Again, I don't know.

Q. And, once again, it's your testimony as the person in charge of enforcing these guidelines and the person --

MR. STRACHER: I object to the form.

She did not say enforcing. Right? She didn't use the word "enforcing."

Q. Were you in charge of enforcing these guidelines?

A. Yes.

Q. Okay. As the person who was in charge of enforcing these guidelines, as the global editor in chief, and as the person who edited this particular article, it's your testimony that this statement is complete, correct?

A. Yes.

Q. And specific as well, correct?

A. Yes.

Q. Please read the last sentence in the same bullet point.

Cooper

A. "Use language such as 'allegedly' or 'accused of' or 'arrested in connection with,' not 'arrested for,' which implies guilt."

Q. Would you agree with me that this sentence implies guilt?

A. That the article statement says?

Q. Correct.

A. No.

Q. Why not?

A. Because it says this is something people talk about. It's talking about as a thing that people say rather than saying there's a, you know, a legal allegation.

Q. Earlier you testified that it's your position that the article statement is true, correct?

A. Yes.

Q. Is it your testimony today that Julia Duin weighed the evidence impartially?

A. Yes.

Q. Why is that?

A. Because I believe, as I've said, she gave Greaves a fair chance to respond.

Q. And you would agree with me that that

1 Cooper

2 second sentence into the record.

3 A. "It's really a story about a lawsuit  
4 more than it is about religion."

5 Q. Okay, to which Julia Duin responds at  
6 2:02 p.m., "Not quite. TST is a religion (sounds  
7 crazy, I know)." Do you see that?

8 A. Yes.

9 Q. Then the next sentence is "The main  
10 question here is if you can defame a religion."  
11 Correct?

12 A. Yes.

13 Q. Okay. How do you synthesize those  
14 two sentences to mean that this story is about  
15 the lawsuit?

16 MR. STRACHER: I object to the form.  
17 You're mischaracterizing the e-mail.

18 A. To me, it's clearly this is what it  
19 is saying. The main question is if you can  
20 defame a religion. That's what the suit is  
21 about. The suit is testing the question of  
22 whether you can defame a religion, and that's  
23 interesting. So that's what the story was.

24 Q. Okay. What does this parenthetical  
25 "Sounds crazy I know that TST is a religion,"

1 Cooper

2 what does that mean to you?

3 A. Oh. That is from Julia, not from me.  
4 It doesn't sound like a religion. It's whatever,  
5 you know, but it is a religion.

6 Q. Did you interpret that to be an  
7 assertion of bias on her part?

8 A. No.

9 Q. Did you interpret that to be evidence  
10 of bias on her part?

11 A. No.

12 Q. Did you engage in any level of  
13 investigation into Julia Duin's bias at any  
14 point?

15 MR. STRACHER: I object to the form.

16 A. I had no -- there was no evidence of  
17 any bias.

18 Q. Earlier you testified that this is  
19 not an investigative article. Is that correct?

20 A. It's not a scientific term. You know  
21 what I mean? That's an opinion term. Is that  
22 the right word? I don't know.

23 Q. I'm unclear.

24 A. I just mean there's not like for me,  
25 as far as I know, there is no legal standard of



Cooper

Q. How does the article statement provide context to the Johnson litigation?

A. It is part of the issue of whether you can defame a religion.

Q. Is it Newsweek's intent to defame The Satanic Temple?

A. No.

Q. Help me understand how including this article statement as pertains to the litigation answers whether you can defame a religion?

MR. STRACHER: I object to the form.

A. It's part of the context around what is being said about the temple, religion, church.

Q. Does the Johnson lawsuit take issue with sex abuse going on and then getting covered up within The Satanic Temple?

MR. STRACHER: I object to the form.

That's the sixth time it has been answered.

MR. KEZHAYA: And she hasn't given me a yes or no.

MR. STRACHER: Well, listen, because she can't give you the answer you want, it doesn't mean that she's not giving you an

Cooper

of the statement.

Q. Yes or no?

A. I have faith in Julia's reporting,  
yes.

Q. You have faith in that, correct?

A. Yes.

MR. KEZHAYA: I pass the witness.

MR. STRACHER: No questions.

MR. KEZHAYA: Okay.

THE WITNESS: Are we done?

MR. KEZHAYA: We are done.

THE WITNESS: Okay. Thank you.

THE VIDEOGRAPHER: This is the end of  
the deposition of Nancy Cooper. The time  
is 4:05 p.m. Thank you.

THE WITNESS: Thank you.

MR. STRACHER: Thank you.

(Time noted: 4:05 p.m.)

Subscribed and sworn to  
before me this \_\_\_\_ day of \_\_\_\_\_, 2023.